



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

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February 26, 2021

**VIA ECF**

Honorable Vernon S. Broderick  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

APPLICATION GRANTED  
SO ORDERED *Vern Bro*  
VERNON S. BRODERICK  
U.S.D.J. 3/1/2021

Re: Jarzette Jacobs Administrator of Estate of Jah'Lire Nicholson et al. v. City, et al.,  
18-CV-3275 (VSB)

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, representing defendants City of New York, Police Officer Daniel Decario, and Police Officer Djafar Tsaabbast in the above-referenced matter. Defendants write respectfully on behalf of the parties to advise the Court of the status of this action and to respectfully request that the Court extend the stay of discovery until April 30, 2021.

By letter dated November 30, 2020, the parties respectively advised the Court that we had been working cooperatively towards facilitating a forensic evaluation by plaintiffs' expert to take place in New York with the hope that we might be able to have that occur before the end of February, or that by that point we would at least be able to propose a realistic timeline for when it could occur. While the parties have continued to work cooperatively in this regard, the status of the pandemic – albeit far more promising than when we last wrote – is still preventing us from being able to complete the forensic valuation. The fact that plaintiffs' expert resides in Michigan has made finalizing this forensic evaluation particularly difficult in light of the required inter-state travel as well as the need for numerous people to gather indoors for a potentially lengthy amount of time. The parties anticipate that if the Court were to extend the stay in the manner requested, we could by the end of April – assuming vaccine distribution continues to improve – be able to resume discovery and propose a reasonable schedule at that time to complete what remains outstanding.

Accordingly, the parties respectfully request that the Court further extend the stay of discovery until April 30, 2021. To the extent that this request is granted, the parties further respectfully request that the Court permit them to submit a joint status update at the conclusion of the stay.